

MESSAGE NO: 6212204 MESSAGE DATE: 07/31/2006

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-331-802

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/04/2004 TO 01/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PARTIAL RESCISSION OF AD ADMIN REV OF FROZEN WARMWATER SHRIMP
FROM ECUADOR (A-331-802) LIQ NAMED FIRMS IN A-331-802-000 AND A-331-802-002

MESSAGE NO: 6212204

DATE: 07 31 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 331 - 802

- -

- -

- -

- -

- -

PERIOD COVERED: 08 04 2004 TO 01 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PARTIAL RESCISSION OF AD ADMIN REV OF FROZEN WARMWATER
SHRIMP FROM ECUADOR (A-331-802) LIQ NAMED FIRMS IN
A-331-802-000 AND A-331-802-002

1. THE DEPARTMENT OF COMMERCE HAS RESCINDED THE ADMINISTRATIVE
REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN FROZEN WARMWATER

SHRIMP FROM ECUADOR (A-331-802) FOR CERTAIN
MANUFACTURERS/EXPORTERS. YOU ARE TO ASSESS ANTIDUMPING DUTIES
ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION DURING THE PERIOD 08/04/2004 THROUGH 01/31/2006 AT
THE CASH DEPOSIT RATE REQUIRED AT THE TIME OF ENTRY FOR THE
FOLLOWING MANUFACTURERS/EXPORTERS:

A-331-802-000

AGRICOLA E INDUSTRIAL ECUAPLANTATION

ALQUIMIA MARINA S.A.

BABYCHIC SA

BRIMON, S.A.

DUNCI S.A.

ECULINE

EDPACIF

EL ROSARIO (ERSA) S.A.

EMPACADORA DEL PACIFICO S.A. (EDPACIF S.A.)

EMPACADORA DUFRER CIA. LTDA.

EMPACADORA GRUPO GRAN MAR EMPAGRAN S.A.

EMPACADORA NACIONAL C.A.

EMPACADORA BILBO S.A. (BILBOSA)

EMPAGRAN

ESTAR C.A.

EXPORTADORA BANANERA NOBOA

EXPORTS DEL OCEANO

GONDI S.A.

INDUSTRIAL PESQUERA SANTA PRISCILA SA

INDUSTRIAL PESQUERA SANTA PRISCILLA

INEPEXA INC.

KARPICORP S.A.

MARECUADOR CO LTDA.

MARISCO

MARISCOS DE CHUPADORES CHUPAMAR

MARISCOS DEL ECUADOR C.L. MARECUADOR

MARISCOS DEL ECUADOR MARECUADOR CO.

NEGOCIOS INDUSTRIALES REAL NIRSA S.A.

NOVAPESCA SA

OCEANMUNDO S.A.

OCEANPRO S.A.

OPERADORA Y PROCESADORA DE PRODUCTS MARINOS OMARSA S.A.

OYERLY SA

P.C. SEAFOOD SA

PESLASA S.A.

PHILLIPS SEAFOOD OF ECUADOR S.A.
PROCESADORA DEL RIO PRORIOSA SA
PROCESADORA DEL RIO S.A. PRORIOSA
PRORIOSA SA PROCESADORA DEL RIO SA
SEAFOOD PADRE AGUIRRE
SOCIEDAD NACIONAL DE GALAPAGOS C.A.
SOITGAR
TECNICA & COMERCIO DE LA PESCA TECO
TRANSMARINA C. A.
UNILINES TRANSPORT SYSTEM

A-331-802-002

EXPORKLORE, S.A.

2. NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION ON ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE PARTIAL RESCISSION OF THE ADMINISTRATIVE REVIEW ON 07/20/2006 (71 FR 41198). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS, OR ASSESSES INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION.

THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED

IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O2:DJG).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party